

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RASHEEN TABOR LATTNER,

Plaintiff,

-against-

HOPE CALIENDO-SOLOMON; MTA
NYC TRANSIT AUTHORITY,

Defendants.

20 Civ. 9508 (PGG)

ORDER

PAUL G. GARDEPHE, U.S.D.J.:

On March 24, 2021, pro se Plaintiff Rasheen Tabor Lattner moved for a default judgment against Defendant MTA NYC Transit Authority (“MTA”). (Dkt. No. 12) The MTA has not been served, however. On February 17, 2021, service of the Summons and Complaint on the MTA was returned unexecuted by the U.S. Marshal’s Service. (See Dkt. No. 10)

Moreover, before moving for a default judgment, a plaintiff must first obtain a Clerk’s Certificate of Default as to any defendant against whom or which plaintiff seeks a default judgment. Plaintiff must also file an affidavit in support of the default judgment application.¹

Accordingly, Plaintiff’s application for a default judgment against Defendant MTA is denied. The Clerk of Court is directed to terminate the motion (Dkt. No. 12).

To effectuate service on Defendant MTA, the Clerk of Court is instructed to issue a summons for MTA, and deliver to the Marshals Service all the paperwork necessary for the

¹ Model documents are available on the court’s website: <https://www.nysd.uscourts.gov/forms/clerks-certificate-default>. Plaintiff is further advised that the Pro Se Office at the United States Courthouse, 500 Pearl Street, Room 203, New York, New York, 10007, telephone number (212) 805-0177, may be of assistance in connection with court procedures.

Marshals Service to effect service upon MTA at the following address: MTA NYC Transit Authority, 180 Livingston Street, Brooklyn, New York 11201.

The Clerk of Court is directed to mail a copy of this order via certified mail to pro se Plaintiff Rasheen Tabor Lattner, 831 Hick St., Apt. 1E, Brooklyn, NY 11231.

Dated: New York, New York
April 2, 2021

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe", written over a horizontal line.

Paul G. Gardephe
United States District Judge